IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA EASTERN DIVISION 4:09-CR-52-D-1

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This case comes before the court *sua sponte* following the submission of a Certificate of Competency (D.E. 83) by the Federal Medical Center at Springfield, Missouri ("FMC-Springfield"), ¹ pursuant to this court's 9 June 2015 order (D.E. 77).

IT IS ORDERED as follows:

- 1. The court shall conduct a hearing in accordance with 18 U.S.C. § 4241(e) and § 4247(d) to determine the mental competency of defendant on Thursday, 21 January 2016, at 11:00 a.m. in the 6th Floor Courtroom of the Terry Sanford Federal Building and Courthouse, 310 New Bern Avenue, Raleigh, North Carolina.
- 2. If defendant is determined to be competent, the court shall proceed immediately with a renewed initial appearance on the motion for revocation of supervised release (D.E. 55).
 - 3. Defendant and counsel of record shall attend the hearing.
 - 4. By 19 January 2016, each party shall file a memorandum addressing:
 - a. whether or not the party contests defendant's competency;

¹ This amended order modifies the original order (D.E. 84) to correct the references to the Federal Medical Center at Butner, North Carolina, or "FMC-Butner," to the Federal Medical Center at Springfield, Missouri ("FMC-Springfield").

- b. whether or not the party intends to call any witnesses at the competency hearing and, if so, the name of each witness and a description of the witness's expected testimony; and
- c. such other relevant matters as the party wishes to bring to the court's attention.
 - 5. Defendant shall remain at FMC-Springfield pending further order of the court.
- 6. The Clerk is DIRECTED to transmit a copy of this order to the appropriate official at FMC-Springfield.

SO ORDERED, this 7th day of January 2016.

James E. Gates

United States Magistrate Judge